AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A method for recording or reproducing data on/from a recording medium, the recording medium including a spare area for replacing a defective unit, the spare area including a first spare area and/or a second spare area, the method comprising:

(a) determining whether or not the first spare area or the second spare area is full based on first or second state information, the first or second state information indicating whether or not the first spare area or the second spare area is in full state[[;]], wherein the second state information can alternately identify that the second spare area is not assigned, and the second state information is set at least differently before and after an assignment of the second spare area; and

(b) performing a linear replacement for a defective unit using a spare block of either the first spare area or the second spare area when at least one of the first spare area and second spare is not full as a result of the step (a).

2. (Original) The method of claim 1, wherein the first spare area is located in an inner side of the recording medium, and the second spare area is located in an outer side of the recording medium.

3. (Original) The method of claim 1, wherein said step (b) performs the linear replacement for the defective unit using a replacement unit of either the

first spare area or the second spare area which is nearer to the defective block when the first spare area and second spare area are not full.

4. (Original) The method of claim 1, wherein said step (b) performs the linear replacement for the defective unit using a replacement unit of the second spare area if the first state information indicates a full state of the first spare area.

5. (Original) The method of claim 1, wherein said step (b) performs the linear replacement for the defective unit using a replacement unit of the first spare area even if the second spare area is not full.

6. (Currently Amended) A method for recording or reproducing data on/from a recording medium, the recording medium including a spare area for replacing a defective unit, the spare area including a first spare area and/or an extendable second spare area, the method comprising:

checking whether or not the first spare area and/or the second spare area is full, at least in order to replace a defective unit into the first spare area or the second spare area; and

recording first and/or second state information to identify separately whether or not the first spare area and/or the second spare area is full based on a result of the checking step, wherein the second state information can alternately identify that the second spare area is not assigned, and the second state information is set at least differently before and after an assignment of the second spare area.

7-8. (Cancelled)

9. (Currently Amended) The method of claim [[8]] 6, wherein the second state information is set to a first ~~certain~~ value before an assignment of the second spare area, and the second state information is set to a second ~~another~~ value after the assignment of the second spare area and when the second spare area is not in full state.

10. (Currently Amended) The method of claim [[7]] 6, wherein the second state information is set at least to the same value to indicate whether or not the second spare area is in full state and/or whether or not the second spare area is assigned.

11. (Original) The method of claim 10, wherein the second state information is set to a certain value when the second spare area is in full state or when the second spare area is not assigned.

12. (Original) The method of claim 6, wherein the second state information is set to a value to indicate that the second spare area has been assigned even though the first spare area is not in full state.

13. (Original) The method of claim 6, further comprising:

setting the second state information to indicate that the second spare area is full when the second spare area becomes full; and

re-setting the second state information to indicate that the second spare area is not full, if the second spare area is extended.

14. (Original) The method of claim 6, wherein at first the first spare area is active for replacement of a defective unit, and then the second spare area is active for replacement of a defective unit when the first state information indicates a full state of the first spare area.

15. (Original) The method of claim 6, wherein the first spare area and the second spare area are simultaneously active for replacement of a defective unit.

16. (Original) The method of claim 6, wherein the second state information indicates an available state of the second spare area until the second spare area cannot be extended.

17. (Original) The method of claim 6, further comprising:

linearly replacing a defective unit with a replacement unit of either the first spare area or the second spare area which is nearer to the defective unit, based on the recorded first and/second state information.

18. (Original) The method of claim 6, further comprising:

linearly replacing a defective unit with a replacement unit of either the first spare area or the second spare area which results in a shortest replacement time, based on the recorded first and/or second state information.

19. (Original) The method of claim 6, further comprising:

linearly replacing a defective unit with a replacement unit of the first spare area even if the second spare area is not in full state, based on the recorded first and/or second state information.

20. (Currently Amended) A recording medium comprising:

a main data area;

a first spare area and/or a second spare area, at least one of the first spare area and the second spare area having a replacement block for replacing a defective block of the main data area; and

a control information area including state information to determine respectively whether or not the first spare area or the second spare area is in full state, wherein the state information includes first state information for the first spare area and second state information for the second spare area, the second state information can alternately identify that the second spare area is not assigned, and the second state information is set at least differently before and after an assignment of the second spare area, and

wherein a linear replacement is performed for the defective block using a spare block of either the first spare area or the second spare area when at least one of the first spare area and the second spare area is not full based on the state information recorded in the control information area.

21. (Original) The recording medium of claim 20, wherein the first spare area is located in an inner side of the recording medium, and the second spare area is located in an outer side of the recording medium.

22. (Original) The recording medium of claim 20, wherein the linear replacement is performed for the defective block using a spare block of either the first spare area or the second spare area which is nearer to the defective block, when both the first spare area and second spare area are not in full state.

23. (Original) The recording medium of claim 20, wherein the second spare area is not used for a linear replacement for a defective unit before the fist spare area becomes full.

24. (Original) The recording medium of claim 20, wherein the second spare area can be extended even if the second spare area is not in full state.

25. (Original) The recording medium of claim 24, wherein an extended portion of the second spare area is not used for a linear replacement for a defective unit before the second spare area becomes full.

26. (Currently Amended) A recording medium comprising:

a spare area including a first spare area and/or an extendable second spare area; and

a control information area including first and second state information to indicate respectively whether or not the first spare area and the second spare area are in full state, wherein the second state information is set at least differently before and after an assignment of the second spare area.

27. (Currently Amended) The recording medium of claim 26, wherein the second state information can alternately ~~is set to~~ indicate that the ~~further whether or not the~~ second spare area is not assigned.

28. (Currently Amended) The recording medium of claim 26, wherein the second state information is set at least to the same value to indicate that the second spare area is full or the second spare area is assigned ~~differently before and after an assignment of the second spare area~~.

29. (Original) The recording medium of claim 26, wherein the second state information is set at least to the same value to indicate whether or not the second spare area is full and/or whether or not the second spare area is assigned.

30. (Currently Amended) The recording medium of claim 26, wherein the second spare area is not used for a linear replacement for a defective unit before the ~~fist~~ first spare area becomes full.

31. (Original) The recording medium of claim 26, wherein the second spare area is extended even if the second spare area is not in full state.

32. (Original) The recording medium of claim 31, wherein an extended portion of the second spare area is not used for a linear replacement for a defective unit before the second spare area becomes full.

33-34. (Cancelled)

35. (New) The recording medium of claim 26, wherein the control information area is a defect management area.

36. (New) The recording medium of claim 35, wherein the first and second state information are stored in a secondary defect list (SDL) of the defect management area.

37. (New) The recording medium of claim 26, wherein the first and second state information are stored in a disc definition structure (DDS) of the control information area.

38. (New). The recording medium of claim 20, wherein the control information area is a defect management area.

39. (New) The recording medium of claim 38, wherein the first and second state information are stored in a secondary defect list (SDL) of the defect management area.

40. (New) The recording medium of claim 20, wherein the first and second state information are stored in a disc definition structure (DDS) of the control information area.